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22 UNITED STATES DISTRICT COURT

23 FOR THE CENTRAL DISTRICT OF CALIFORNIA

24 WESTERN DIVISION

JS-6

25 UNITED STATES OF AMERICA,) CV 08-2702 JSL (CWx)

26 Plaintiff,)

27 v.) **CONSENT JUDGMENT**

28 \$165,185.00 IN U.S. CURRENCY)

Defendants.)

ROBERT ANTHONY CORTINI,)

Claimant.)

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31 A. On or about April 24, 2008, plaintiff United States of
32 America ("the government" or "the United States of America")
33 filed a Complaint for Forfeiture alleging that the defendant
34 ("defendant currency"), \$165,185.00 in U.S. Currency is subject
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1 to forfeiture pursuant to 21 U.S.C. §§ 881 (a)(6). On or about
2 May 27, 2008, claimant Robert Anthony Cortini filed a claim to
3 \$165,185.00 in U.S. Currency. On or about June 19, 2008, claimant
4 Robert Anthony Cortini filed an answer.

5 B. The government and claimant Robert Anthony Cortini, have now
6 agreed to settle this matter as to the defendant described in
7 paragraph A and to avoid further litigation between them by
8 entering into this Consent Judgment.

9 C. The Court having been duly advised of and having considered
10 the matter, and based upon the mutual consent of the parties
11 hereto,

12 **IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:**

13 1. This Court has jurisdiction over the subject matter of
14 this action and over the parties to this Consent
15 Judgment of Forfeiture.

16 2. As between plaintiff United States of America and
17 claimant Robert Anthony Cortini, Complaint for
18 Forfeiture states a claim for relief pursuant to 21
19 U.S.C. §§ 881 (a)(6).

20 3. Notice of this action has been given as required by
21 law. No appearances have been made in this case by any
22 person with respect to the defendant described in
23 Paragraph A other than claimant Robert Anthony Cortini.
24 The Court deems that all other potential claimants
25 admit the allegations of the Complaint for Forfeiture
26 to be true as to the defendant described in Paragraph
27 A.

1 4. The United States of America shall have judgment as to
2 \$155,185.00 of the defendant currency, plus all
3 interest earned by the government on the entirety of
4 the defendant currency, and no other person or entity
5 shall have any right, title or interest therein. The
6 United States Marshals Service is ordered to dispose of
7 said assets in accordance with law.

8 5. \$10,000.00 of the defendant currency, without any
9 interest earned by the government on that amount shall
10 be returned to claimant Robert Anthony Cortini. Said
11 funds shall be forwarded by check made payable to
12 "Michael G. Raab, Esq., Attorney-Client Trust Account,"
13 and shall be mailed to Michael G. Raab, Esq., 1600
14 Ventura Boulevard, Penthouse Suite 1208, Encino,
15 California 91436.

16 6. Claimant, hereby release the United States of America,
17 its agencies, agents, officers, employees and
18 representatives, including, without limitation, all
19 agents, officers, employees and representatives of the
20 Drug Enforcement Administration, and its respective
21 agencies, as well as all agents, officers, employees
22 and representatives of any state or local governmental
23 or law enforcement agency involved in the investigation
24 or prosecution of this matter, from any and all claims,
25 actions, or liabilities arising out of or related to
26 this action, including, without limitation, any claim
27 for attorney fees, costs, and interest, which may be
28 asserted by or on behalf of claimant Robert Anthony

1 Cortini, whether pursuant to 28 U.S.C. § 2465 or
2 otherwise.

3 7. The Court finds that there was reasonable cause for the
4 seizure of the defendant described in Paragraph A and
5 institution of these proceedings against the said
6 defendant. This judgment shall be construed as a
7 certificate of reasonable cause pursuant to 28 U.S.C. §
8 2465 as to the said defendant.

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8. The Court further finds that claimant Robert Anthony Cortini, did not substantially prevail in this action, and each of the parties hereto shall bear its own attorney fees and costs.

DATED: January 6, 2009

Spencer Letts

THE HONORABLE J. SPENCER LETTS
SENIOR UNITED STATES DISTRICT JUDGE

CONSENT

The parties hereto consent to the above judgment and waive any right to appeal this judgment.

DATED: December ___, 2008

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Attorneys for Plaintiff
UNITED STATES OF AMERICA

DATED: December , 2008

MICHAEL G. RAAB

Attorney for Claimant
ROBERT ANTHONY CORTINI